

1999 DRAFTING REQUEST

Bill

Received: **09/17/1999**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB :

For: **Carol Kelso (608) 266-0485**

By/Representing:

This file may be shown to any legislator: NO

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Children in open cargo areas of motor trucks

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
I?	nilsepe 09/17/1999	jgeller 09/17/1999		_____			
/1	nilsepe 09/20/1999	jgeller 09/21/1999	mclark 09/20/1999	_____	lrb-docadmin 09/20/1999		
/2			mclark 09/21/1999	_____	lrb-docadmin 09/21/1999	lrb-docadmin 10/22/1999	lrb-docadmin 10/22/1999
				_____		lrb-docadmin	10/22/1999

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/17/1999**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Julie Lassa (608) 267-9649**

By/Representing:

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May Contact:

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/1	nilsepe 09/20/1999	jgeller 09/21/1999	mclark 09/20/1999	_____	lrb-docadmin 09/20/1999		
12			mclark 09/21/1999	_____	lrb-docadmin 09/21/1999		

FE Sent For:

<END>

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Identical to LRB:

For: Julie Lassa (608) 267-9649

By/Representing:

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May Contact:

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/?	nilsepe 09/17/1999	jgeller 09/17/1999		_____			
/1		1/2 9/21 jg	mclark 09/20/1999	_____	lrb_docadmin 09/20/1999		
FE Sent For:		MRC 9/21	mrc/JF 9/21				<END>

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For: **Julie Lassa (608) 267-9649**

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1?	nilsepe	1 9/15 jg	mrc 9/20	MRCJF 9/20			

FE Sent For:

<END>

Nilsen, Paul

From: Nilsen, Paul
Sent: Friday, September 17, 1999 1:47 PM
To: Rep.Lassa
Subject: Transporting children in open cargo areas of motor trucks (1997 AB 554)

Representative Lassa:

I received a request from your office to redraft 1997 AB 554 (LRB-3760/2), prohibiting transporting children in the open cargo area of a small motor truck (pickup trucks). I am currently redrafting that bill.

The assembly transportation committee recommended Assembly Substitute Amendment 1 (LRBs0381/1) to 1997 AB 554, by a vote of 12-O (broadening the bill to prohibit transporting persons of any age in an open cargo area of a pickup truck). The Assembly adopted that substitute amendment 67-30. Do you want your bill to reflect the recommendation of the 1997 assembly transportation committee, the version ultimately adopted by the Assembly? Their recommendation is attached below:



97s0381/1

Attorney Paul E. Nilsen
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2307
Tel: (608) 261-6926
Fax: (608) 264-8522
Email: Paul.Nilsen@legis.state.wi.us

JG
3632/1

1997 ASSEMBLY BILL 554

October 9, 1997 – Introduced by Representatives KELSO, LADWIG, BLACK BOCK, DOBYNS, HANSON, HASENOHRL and URBAN. Referred to Committee on Highways and Transportation.

Regen

1 AN ACT to amend 346.922 (1) of the statutes; relating to: transporting children
2 in open cargo areas of certain motor trucks.

Analysis by the Legislative Reference Bureau

Under current law, no person may transport any child under 16 years of age in an open cargo area of a motor truck having a gross weight of 10,000 pounds or less. Exceptions are provided for farming operations, par&es and deer hunting. A violator may be required to forfeit not less than \$10 nor more than \$25 or, for a ~~first~~ second or subsequent conviction within ~~3~~ ^{three} years, not less than \$25 nor more than \$200. No demerit points are assessed against the violator's operating record.

Under this bill, no person may transport any child under 18 years of age in an open cargo area of such a motor truck. The bill does not affect the penalties, exceptions or demerit point provisions under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

X
SECTION 1. 346.922 (1) of the statutes is amended to read:

3
4 346.922 (1) Notwithstanding s. 346.92, no person may operate upon a highway
5 a motor truck having a gross weight of 10,000 pounds or less when any child under
6 the age of ~~16~~ ¹⁸ years is in an open cargo area of the motor truck.

(END)

PROOF w/STATS.

Nilsen, Paul

From: Lassa, Julie
Sent: Friday, September 17, 1999 8:58 PM
To: Nilsen, Paul
Subject: RE: Transporting children in open cargo areas of motor trucks (1997 AB 554)

Hi Paul -

Yes, I would like to have the Transportation committee action reflected in my bill.

Thank you

-----Original Message-----

From: Nilsen, Paul
Sent: Friday, September 17, 1999 1:47 PM
To: Rep.Lassa
Subject: Transporting children in open cargo areas of motor trucks (1997 AB 554)

Representative Lassa:

I received a request from your office to redraft 1997 AB 554 (LRB-3760/2), prohibiting transporting children in the open cargo area of a small motor truck (pickup trucks). I am currently redrafting that bill.

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P.O. Box 2037
Madison, WI 53701-2307
Tel: (608) 261-6926
Fax: (608) 264-8522
Email: Paul.Nilsen@legis.state.wi.us



1999 BILL

d-note

Reger

1 AN ACT to amend 346.922 (1) of the statutes; relating to transporting ^{persons} ~~children~~
2 in open cargo areas of certain motor trucks.

Analysis by the Legislative Reference Bureau

Under current law, no person may transport any child under 16 years of age in an open cargo area of a motor truck having a gross weight of 10,000 pounds or less. Exceptions are provided for farming operations, parades and deer hunting. A violator may be required to forfeit not less than \$10 nor more than \$25 or, for a second or subsequent conviction within three years, not less than \$25 nor more than \$200. No demerit points are assessed against the violator's operating record.

Under this bill, no person may transport any ~~child under 18 years of age~~ ^{person} in an open cargo area of such a motor truck. The bill does not affect the penalties, exceptions or demerit point provisions under current law.

regardless of his or her age

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 346.922 (1) of the statutes is amended to read:

Ⓝ The bill also creates an exception to allow the transport of persons in an open cargo area of a motor truck, if every person in the open cargo area is an employe engaged in the necessary discharge of the employe's duties.

BILL

1
2
3
4

~~346.922(1) Notwithstanding s. 346.92, no person may operate upon a highway a motor truck having a gross weight of 10,000 pounds or less when any child under the age of ~~16~~ 18 years is in an open cargo area of the motor truck.~~

(END)

insert
2-4

D-note
↓

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 554**

Insert
2-4

December 4, 1997 - Offered by COMMITTEE ON HIGHWAYS AND TRANSPORTATION.

1 **AN ACT** to amend 346.922 (title) and 346.922 (1); and to create 346.922 (2) (d)
2 of the statutes; **relating to:** transporting persons in open cargo areas of certain
3 motor trucks.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 346.922 (title) of the statutes is amended to read:

5 346.922 (title) **Transporting ~~children~~ persons in open cargo areas of**
6 **motor trucks.**

7 **SECTION 2.** 346.922 (1) of the statutes is amended to read:

8 346.922 (1) Notwithstanding s. 346.92, no person may operate upon a highway
9 a motor truck having a gross weight of 10,000 pounds or less when any ~~child under~~
10 ~~the age of 16 years~~ person is in an open cargo area of the motor truck.

11 **SECTION 3.** 346.922 (2) (d) of the statutes is created to read:

1 346.922 (2) (d) A motor truck when every person in the open cargo area of the
2 truck is an employe engaged in the necessary discharge of the employe's duty.

3

~~(END)~~ ✓

(end insert 2-4)

- 3632/2 dn

Representative Lassa:

P This bill is identical to 1997

Substitute Amendment 1 to 1997 AB-554.

-PEN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3632/2dn
PEN;jlg:mrc

September 21, 1999

Representative Lassa:

This bill is identical to 1997 Substitute Amendment 1 to 1997 AB-554.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

Per Josh in Rep. Lassa's office:

10/21/99 4:30 pm

Please jacket LRS-~~100~~ 3632/2

for Rep. Kelso, Assembly.

Per Chris Rep. Kelso's office: Jacket 3632/2

for Rep. Kelso.

- PEN

11
5

1

1

1